

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SARAH HORTON,

Plaintiff,

v.

TSI FENWAY, INC., d/b/a
BOSTON SPORTS CLUBS,

Defendant.

Civil Action No. 04-CV-12359-MEL

JOINT MOTION TO AMEND SCHEDULING ORDER

Counsel for Plaintiff, Sarah Horton, and Defendant, TSI Fenway, Inc., have conferred and hereby submit this Joint Motion to Amend Scheduling Order.

On August 16, 2005, in response to a Joint Motion by both parties, this Court amended its Scheduling Order and set a discovery deadline of January 28, 2006. However, because of unforeseen scheduling conflicts and continuing discovery questions, the previously scheduled deposition of Horton has been postponed. The parties continue to work together to resolve discovery issues and scheduling conflicts, but have been unable to prevent the consequent delay of the completion of discovery. Ms. Horton is available for deposition in February, 2006, after the expiration of the current discovery deadline, and the parties are attempting to schedule the depositions of certain witnesses from TSI Fenway, Inc., which depositions will also occur after the expiration of the current discovery deadline. Consequently, counsel for both parties have conferred and agreed that the current discovery deadline should be extended by three (3) months, with an amended discovery deadline of April 28, 2006.

WHEREFORE, both parties respectfully request this Court to grant their Joint Motion to Amend Scheduling Order and set a new discovery deadline of April 28, 2006.

Respectfully submitted,

TSI FENWAY, INC.,

By its attorneys,

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SARAH HORTON,

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Dated: January 26, 2006